


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
1980-02-01

Attorneys for Defendants and
Counter-claimants

FILED

OCT 30 1980

CLERK, U. S. DISTRICT COURT
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
BY  DEPUTY
CENTRAL DISTRICT OF CALIFORNIA

1 RIMNEY MFG. CO.,
2 a corporation

Plaintiff,

14 vs.

15 UNIVERSAL CO., LTD.,
16 a corporation, and
17 UNIVERSAL USA, INC.,
18 a corporation

Defendants.

19 UNIVERSAL USA, INC.
20 a corporation,

Counter-claimant,

21 vs.

22 RIMNEY MFG. CO.,
23 a corporation, et al.,

Counter-defendants.

CASE NO.: CV 80-02414 LEW(Mx)

ORDER PURSUANT
TO STIPULATION

25 Upon reading the Stipulation For Entry of Order filed herein,
26 and good cause appearing therefor;

27 / / /

28 / / /

EXHIBIT A

000030



35. 201 / 100000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK: PAC MAN
CLASS: International 28

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

7603
1 JP
JP
8028
(TONY KOGYO CO., INC.) is a corporation organized and existing under the laws of Japan having a place of business at 9-10 Tateishi, 7-Chome, Katsushika-Ku, Tekyo, Japan.

The above-identified applicant has adopted and is using the trademark shown in the accompanying drawing for apparatus, including a coin receptacle, for playing a manipulative game and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

The mark as used consists of characters in the Japanese language which when translated into English are pronounced as "PAC MAN", the mark sought to be registered.

The mark was first used on or about June 1, 1976; it was first used in foreign commerce on or about May 5, 1977, and is now in use in such commerce.

The trademark is used by applying it to the goods, by printing it on the packages for the goods and on trade literature. Five specimens showing the trademark as actually used are presented herewith.

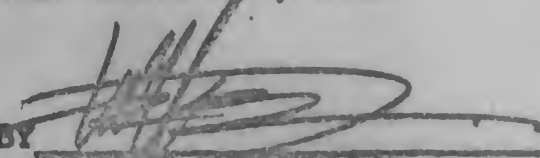
If the amount attached hereto is not sufficient, please charge the Tony Corporation account no. 20-1285.

796
Applicant hereby appoints (Edward D. O'Brien) Reg. No. 17,144, Patent Attorney, of 1132 North Brookhurst Street, Anaheim, California 92801, telephone (714) 776-2710, as attorney with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office. Please address all future correspondence to Mr. O'Brien at the address given above.

TAMOTSU SHIMIZU declares that he is the Manager of International Affairs of TOMY KOGYO CO., INC., the applicant corporation, and is authorized to execute this declaration on behalf of said corporation; he believes said corporation to be the owner of the mark sought to be registered; that to the best of his knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods of such other person, to cause confusion, to cause mistake, or to deceive; that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

TOMY KOGYO CO., INC.

Date: June 4, 1981

BY 
TAMOTSU SHIMIZU, Manager
International Affairs



INT. CL.

25

PRIOR U.S.

319744

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: TONY KOGYO CO., INC.

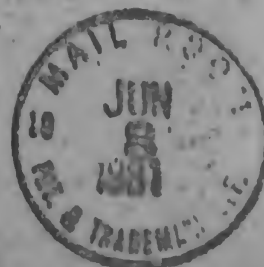
ADDRESS: 9-10 TATEISHI, 7-CHOME
KATSUSHIKA-KU, TOKYO, JAPAN

DATE FIRST USED: JUNE 1, 1976

DATE FIRST USED FOREIGN COMMERCE: MAY 5, 1977

FOR: APPARATUS, INCLUDING A COIN RECEPTACLE, FOR PLAYING
A MANIPULATIVE GAME

PAC MAN





35,2201 / 313743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK: JAPANESE CHARACTERS
MEANING PAC MAN
CLASS: International 28

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

F603
F7JPX
JPX
F8028
TONY KOGYO CO., INC., is a corporation organized and existing under the laws of Japan having a place of business at 9-10 Tateishi, 7-Chome, Katsushika-Ku, Tokyo, Japan.

The above-identified applicant has adopted and is using the trademark shown in the accompanying drawing for apparatus, including a coin receptacle, for playing a manipulative game and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

The mark consists of characters in the Japanese language which mean "PAC MAN" in English.

The mark was first used on or about June 1, 1976; it was first used in foreign commerce on or about May 5, 1977, and is now in use in such commerce.

The trademark is used by applying it to the goods, by printing it on the packages for the goods and on trade literature. Five specimens showing the trademark as actually used are presented herewith.

If the amount attached hereto is not sufficient, please charge the Tomy Corporation account no. 20-1286.

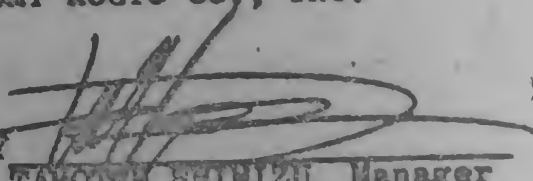
F9Ca
Applicant hereby appoints Edward D. O'Brian, Reg. No. 17,144, Patent Attorney, of 1132 North Brookhurst Street, Anaheim, California 92801, telephone (714) 776-2710, as attorney with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office. Please address all future correspondence to Mr. O'Brian at the address given above.

TAMOTSU SHIMIZU declares that he is the Manager of International Affairs of TOMY KOGYO CO., INC., the applicant corporation, and is authorized to execute this declaration on behalf of said corporation; he believes said corporation to be the owner of the mark sought to be registered; that to the best of his knowledge and belief no other person, firm, corporation, or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods of such other person, to cause confusion, to cause mistake, or to deceive; that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

TOMY KOGYO CO., INC.

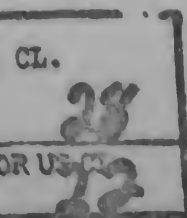
Date: June 4, 1931

BY


TAMOTSU SHIMIZU, Manager
International Affairs



313743



313743

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: TONY KOGYO CO., INC.

ADDRESS: 9-10 TATEISHI, 7-CHOME
KATSUSHIKA-KU, TOKYO, JAPAN

DATE OF FIRST USE: JUNE 1, 1976

DATE OF FIRST USE FOREIGN COMMERCE: MAY 5, 1977

FOR: APPARATUS, INCLUDING A COIN RECEPTACLE, FOR PLAYING
A MANIPULATIVE GAME

2

バックマン

